

The PTO requires the Petitioner to address the following point:

The papers filed June 8, 2010, contained an Issue Notification with the Blank and Rome "Docketing" stamp containing a notation that indicated that the maintenance fees for the subject were docketed as: 3.5-year fee due September 25, 2004, 7.5-year fee due September 25, 2008, and 11.5-year fee due September 25, 2012, otherwise referred to by petition as "Exhibit B". It is established that these are not the correct maintenance fee due dates for the subject reissue patent. Of material value, however, are the initials that appear on the docketing notation. Petitioner is required to explain whose initials these are, the position of this person at Blank and Rome, and the training and experience of this person relative to the entry of the maintenance fee due date and related tasks.

In response, the Petitioner identifies the initials as belonging to Ms. Bynum-Cosby. Ms. Sueanne Gill worked with Ms. Bynum-Cosby, and was able to identify the initials of Exhibit B as belonging to Ms. Bynum-Cosby. (See Statement of Ms. Gill, ¶15.) The position, training and experience of Ms. Bynum-Cosby are set forth in Petitioner's earlier filings, which are hereby incorporated by reference. For at least the reasons set forth in the earlier filings, it is respectfully submitted that the employment of Ms. Bynum-Cosby was reasonable and the exercise of due care to protect its most important business.

Request for Interview

In the event the Office has any questions or is inclined to deny this Supplemental Petition for Rehearing, undersigned counsel requests an interview with the Petitions Attorney to identify any issues that the Office may consider to not be met by the present Response.

Request for File

The Petitioner further notes that it has attempted to obtain a copy of the file history at the PTO to see if any additional facts can be ascertained. However, the file history is not currently available because it is with the Petitions Office. In the event the PTO intends to deny the Petition, it is respectfully requested that it release the file so that the Petitioner can gain access to its contents, and that an additional response time be provided by which Petitioner can file another supplemental response.

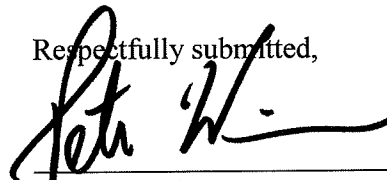
Deposit Account

The Request for Information indicates that no fee is due with the present response. The undersigned hereby reaffirms earlier authorization and request to the Office to charge any outstanding petition fees, maintenance fees, and surcharges to Deposit Account No. 23-2185 necessary to restore this patent to granted status. Authorization to charge the 11.5 year maintenance fee to Deposit Account No. 23-2185 was originally provided on September 25, 2008.

For the reasons set forth above and in the prior filings, Petitioner respectfully requests that its Petition be granted.

Dated: November 23, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter S. Weissman', written over a horizontal line.

Peter S. Weissman
Registration No. 40,220

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